

WESTFIELD TOWN COUNCIL, January 8, 2007

The Westfield Town Council met in regular session Monday, January 8, 2007 at the Westfield Town Hall. Members present were Jack Hart, Bob Smith, John Dipple, Andy Cook, Bob Horkay, Ron Thomas and Joe Plankis. Also present were Clerk-Treasurer, Cindy Gossard, Town Manager, Jerry Rosenberger and Legal Council, Brian Zaiger. President Cook called the meeting to order at 7:00 p.m.

Approval of Minutes:

Jack Hart made a motion to approve December 11, 2006 minutes as presented. Bob Smith seconded. Vote: Yes-7; No-0. Motion carried.

President Cook stated the minutes for January 4, 2006 meeting will be presented at the February council meeting for approval.

Guests:

Bob Robey welcomed the incoming council members and thanked the outgoing members for their years of service to the town.

Mary Briggs suggested the town to contact the commercial haulers regarding trash falling from their trucks as they drive through town.

Melody Sweat spoke regarding the Christmas decorations displayed this year asked the Council to consider another type of decorations for next year.

Rick McKinney requested immediate action regarding the placement of no parking signs in front of his house and that Ordinance 06-17 that instituted this action be corrected.

Council Comment on Guest Comments:

Old Business:

None.

Regulatory Changes/Council Introduction

First Council Consideration

Second Council Consideration

None.

New Business:

2007 Supervisory Appointments

Town Manager
Public Works Director
Community Development Director
Acting Fire Chief
Police Chief
Building Commissioner

President Cook explained that every year the Council appoints the supervisory positions for each department. President Cook also stated this could all be done with one motion from the Council.

Bob Smith made a motion to accept the list of appointments as read. Jack Hart seconded. Vote: Yes-7; No-0. Motion carried.

2007 Financial Consultant Appointments (O.W. Krohn & Associates)

President Cook explained each year the Council appoints financial consultant that is consulted during the year for numerous financial related issues.

Jack Hart made a motion to appoint O.W. Krohn & Associates as financial consultants for 2007. John Dipple seconded. Vote: Yes-7; No-0. Motion carried.

2007 Engineering Consultant Appointment (HNTB)

President Cook explained each year the Council appoints an engineering consultant that is used primarily by the public works department.

Bob Smith made a motion to appoint HNTB as engineering consultant for 2007. Jack Hart seconded. Vote: Yes-7; No-0. Motion carried.

2007 Town Attorney Appointment (Brian Zaiger-Krieg DeVault)

President Cook explained each year the Council appoints legal representation to serve as the primary legal consultant to the Town Council and Town Manager.

Jack Hart made a motion to appoint Brian Zaiger with Krieg DeVault as legal consultant for 2007. John Dipple seconded. Vote: Yes-7; No-0. Motion carried.

2007 Advisory Plan Commission & BZA Attorney Appointment) Brian Zaiger-Krieg DeVault

President Cook explained each year the Council appoints legal representation to serve as primary legal consultant to the Advisory Plan Commission and the Board of Zoning Appeals.

John Dipple made a motion to appoint Brian Zaiger-Krieg DeVault as legal consultant for the APC and BZA for 2007. Jack Hart seconded. Vote: Yes-6; No-1 (R. Thomas). Motion carried.

Appointments to BZA

Appointment to replace Craig Wood (4 year term)

John Dipple made a motion to table this appointment until February Council meeting. Joe Plankis seconded. Vote: Yes-7; No-0. Motion carried.

Appointments to Advisory Plan Commission

- **Appointment of two council members for a term of one year**
- **Appointment to replace Brian Morales for a term of four years**

John Dipple made a motion to table the appointments of the two council members until the Special Town Council meeting on January 22 at 6:30 before the Plan Commission meeting. Joe Plankis seconded. Vote: Yes-7; No-0. Motion carried.

John Dipple made a motion to appoint Ken Kingshill for a four year term to the APC. Bob Horkay seconded. Vote: Yes-7; No-0. Motion carried.

Appointment to the Hamilton County Solid Waste Advisory Committee

President Cook explained each year the Council makes an appointment to the Hamilton County Solid Waste Advisory Committee and Ron Thomas was the appointment for 2006.

Ron Thomas made a motion to appoint Bob Smith to the committee. Jack Hart seconded. Vote: Yes-7; No-0. Motion carried.

Appointment of Westfield representative to Hamilton County Emergency Management Advisory Council

President Cook explained each year the Council makes an appointment to the Hamilton County Emergency Management Council and Major Scott Jordan was the appointment for 2006.

Bob Smith made a motion to re-appoint Major Scott Jordan to the Hamilton County Emergency Management Advisory Council for 2007. Joe Plankis seconded. Vote: Yes-7; No-0. Motion carried.

Appointment of Westfield Council representative to Executive Committee of the Hamilton County Alliance

President Cook explained the need to appoint a representative to the Executive Committee of the Hamilton County Alliance and Jerry Rosenberger was appointment since the Alliance began.

Bob Smith made a motion to appoint Joe Plankis to the Executive Committee of the Hamilton County Alliance. Jack Hart seconded. Vote: Yes-7; No-0. Motion carried.

Appointment of Westfield Council representative to the Westfield Fiber Optic Board

President Cook explained that again each year the Council appoints two representatives to the Westfield Fiber Optic Board. Jerry Rosenberger and Dave Mikesell were the appointments for 2006.

John Dipple made as motion to nominate Andy Cook to the Fiber Optic Board for the year 2007. Joe Plankis seconded. Vote: Yes-7; No-0. Motion carried.

Jack Hart made a motion to nominate Joe Plankis to the Fiber Optic Board for the year 2007. Bob Smith seconded. Vote: Yes-7; No-0. Motion carried.

Resolution 07-01 Public Advertising 2007

President Cook stated that Indiana state statute requires that each municipality pass a resolution indicating which newspapers they will use to advertise their public notices.

Jerry Rosenberger stated at the present time the town uses the Noblesville Times and the Indianapolis Star.

Joe Plankis made a motion to approve Resolution 07-01 indicating using the Indianapolis Star and the Noblesville Times for public notifications. John Dipple seconded. Vote: Yes-7; No-0. Motion carried.

**Ordinance 07-01 Comprehensive Plan Adoption
Public Hearing at APC December 4, 2006
Discussion Only**

President Cook stated the purpose of putting this item on the agenda was to update the public on the status and at the current time the Comprehensive Plan is with the Plan Commission. President Cook explained that it is the Councils' understanding that the Plan Commission will bring this to the Town Council at our February meeting.

Joe Plankis stated that McBride Dale Clarion will provide an updated corrected copy for the Plan Commission for review.

Cindy Spoljarik stated that the Plan Commission is expecting a vote at the January Plan Commission meeting.

**Ordinance 07-02 Thoroughfare Plan Adoption
Public Hearing at APC November 27, 2006
APC Committee 12-13-06
Discussion Only**

President Cook stated this item was put on the Agenda for discussion and it is the Council's hope to have this brought forth for adoption at the February Town Council meeting also.

Ordinance 07-03 Amendment to Ordinance 06-31
Water Line Service Plan
First Reading

Jerry Rosenberger explained that this Ordinance is an amendment to previous Ordinances that laid out a Water Service Plan for the residents to pay for this service annually if they choose to use this program.

Jerry explained this amendment is to allow the people to pay for the service monthly on their water/sewer bill if they choose to.

John Dipple made a motion to suspend the rules to approve Ordinance 07-03 on first reading. Bob Smith seconded. Vote: Yes-7; No-0. Motion carried.

Bob Smith made a motion to approve Ordinance 07-03 as presented. Jack Hart seconded. Vote: Yes-7; No-0. Motion carried.

Ordinance 07-04 Amendment to Ordinances 03-23; 05-25; 06-40
Fees for Infrastructure Inspections
First Reading

Bruce Hauk explained this amendment addresses fees for processing infrastructure plans by the Westfield Public Works Department. Bruce also explained this amendment adds a "re-review" fee that was inadvertently missed when the Ordinance 06-04 was passed.

Jack Hart made a motion to suspend the rules to approve Ordinance 07-04 on first reading. Bob Smith seconded. Vote: Yes-7; No-0. Motion carried.

Jack Hart made a motion to approve Ordinance 07-04 as presented. John Dipple seconded. Vote: Yes-7; No-0. Motion carried.

Resolution 07-02 Fifth Third Bank Leasing Agreement
2007 Police, Fire and Community Development vehicles

Andy Cook explained this Resolution is standard resolution for lease purchase agreements to provide for the lease purchase program for 2007.

Bob Smith made a motion to approve Resolution 07-04 as presented. Joe Plankis seconded. Vote: Yes-7; No-0. Motion carried.

Resolution 07-03

Preliminary Resolution to establish an Economic Revitalization Area (ERA)

Jerry Rosenberger asked the Council to table this resolution until the February Town Council meeting.

Council Review of Change Order Westside WWTF Expansion Change Order No. 6 Contractor Bowen Engineering

Jerry Rosenberger explained that during our last audit from the state's DLGF it was recommended that we take change orders for work on bonded projects back to the council for consideration and approval.

Joe Plankis made a motion to approve Change Order No. 6 as presented. Bob Smith seconded. Vote: Yes-7; No-0. Motion carried.

Town and Township Public Safety Building Lease Payments Contract Discussion Only

Jerry Rosenberger explained his intent at this meeting was to explain how this contract is put together so the Council will understand how the costs are shared with the Township.

Town and township Fire Department Budget Contract Discussion Only

Jerry Rosenberger again explained his intent to explain how this contract is put together so the Council will understand how the costs are shared with the township.

Consent Agenda:**Release of Performance Bonds –**

- Maple Knoll Section 5 (Water, Sanitary Sewer, Streets and Sidewalks)
- Bridgewater Club (Forced Main and Lift Station)

Bruce Hauk stated these Bonds have been satisfied.

Bob Smith made a motion to release the Performance Bonds as listed. Jack Hart seconded. Vote: Yes-7; No-0. Motion carried.

Release of Maintenance Bonds

None

Subsequent Connector Fee/Re-imbursement Fee Agreements

None

Town Manager Report:

Town Forum January 11th at Westfield High School at 5:30pm.

Hometown Matters Event is scheduled for January 17th. at the Westin.

YMCA is holding a Fund Raiser at the Palomino Club January 20th

Scott Sondell was hired to do design work on US 31 and will meet with Westfield Town Council

Thompson Thrift will meet with the Town Council and discuss some options in regards to the Water tower

State Road 32 project from Wheeler to Springmill project Manager would like to meet with the Town Council

There will be 2 meetings this week with the final Consultants who may be writing our Ordinance's out of our Comp Plan

Corridor Study finished and has a final copy for the Town Council

Town Council in 2006 approved Design and Build approach to consolidate the WPW Campus and 3 firms have been asked to do a proposal

Need a date for meeting for the Council to go over projects for review with Department Heads

Council Members Comments

Joe Plankis stated he would like to have names on the Enforcement and parks and Recreation reports.

President Cook stated he would like to explain some of the Town Council actions in the next few months. President Cook believes the Council feels charged to address growth and taxes and he believes this begins with planning.

Claims:

Bob Smith made a motion to approve the Claims as presented. Jack Hart seconded. Vote: Yes-7; No-0. Motion carried

John Dipple made a motion to adjourn. Joe Plankis seconded. Vote: yes-7; No-0. Motion carried.

With no further business the meeting adjourned at 8:17 p.m. Executive session followed.

Clerk-Treasurer

Council President